

DOCKET NO. UWY-CV-14-6026552-S	:	SUPERIOR COURT
	:	
NUCAP INDUSTRIES INC., ET AL.,	:	J.D. WATERBURY
Plaintiffs	:	
	:	
VS.	:	AT WATERBURY
	:	
PREFERRED TOOL AND DIE, INC., ET AL.,	:	
Defendants.	:	FEBRUARY 5, 2016

**PLAINTIFFS NUCAP INDUSTRIES INC. AND NUCAP US INC.’S
RESPONSES TO DEFENDANT PREFERRED TOOL’S
FIRST SET OF REQUESTS FOR ADMISSION (1-106)**

Plaintiffs NUCAP Industries Inc. (“Nucap Industries”) and Nucap US Inc., as successor to Anstro Manufacturing (“Nucap US”) (collectively, “Plaintiffs” or “NUCAP”), by and through their undersigned counsel, submit their Responses to Defendant Preferred Tool and Die, Inc.’s (“Preferred Tool”) First Set of Requests for Admission (1-106) as follows.

GENERAL OBJECTIONS

1. Plaintiffs object to the Definitions section of the Requests for Admission to the extent that it seeks to impose requirements different from and/or in addition to those required by the Practice Book and/or Rules of Practice.

2. Plaintiffs object to the Requests for Admission to the extent that they seek documents or information protected by the attorney client privilege, attorney work product doctrine, or any other applicable privilege or evidentiary limitation.

3. Plaintiffs object to the Requests for Admission to the extent they seek confidential and/or highly sensitive information. Plaintiffs have proposed a Confidentiality Agreement to address this concern but Defendants have refused to agree to any of the terms unless the Confidentiality Agreement includes a strict attorney’s eyes only provision.

4. Plaintiffs object to the Requests for Admission to the extent they seek information related to confidential business, proprietary, or other protected information of Plaintiffs or third parties for whom Plaintiffs have an obligation to protect such information.

5. Plaintiffs object to the Requests for Admission to the extent that they are not limited to a reasonable time period.

6. In providing responses to the Requests for Admission, Plaintiffs do not in any way waive or intend to waive, but rather intend to preserve and are preserving: (i) all objections as to competency, relevancy, materiality, and admissibility; (ii) all rights to object on any ground to the use of any of the responses herein or documents in the preliminary injunction proceeding and any subsequent proceedings, including a trial or any other action; (iii) all objections as to vagueness and ambiguity; and (iv) all rights to object on any ground to other discovery Requests for Admission including or relating to the Requests for Admission.

These answers and objections are based upon information now known. Plaintiffs reserve their right to amend, modify, or supplement the objections or answers stated therein.

RESPONSES TO REQUESTS

REQUEST NO. 1:

In the time since 2011, Nucap has on at least one occasion purchased material from Trelleborg, Wolverine Advanced Materials, Nichias Corporation, Material Sciences Corporation (MSC), and Klinger for use in the manufacture of Nucap's brake components, including shims.

RESPONSE TO REQUEST NO. 1: Admitted.

REQUEST NO. 2:

In the time since 2011, Nucap's publically accessible website has on at least one occasion listed material manufacturers that supply material for the manufacture Nucap's brake components, including shims.

RESPONSE TO REQUEST NO. 2: Admitted.

REQUEST NO. 3:

Since at least as early as 2011, Nucap's publically accessible website has identified Trelleborg, Wolverine Advanced Materials, Nichias Corporation, Material Sciences Corporation (MSC), and Klinger as manufacturers of materials used in the manufacture of Nucap's brake components, including shims.

RESPONSE TO REQUEST NO. 3: Admitted.

REQUEST NO. 4:

The identity of material manufacturers that supply material for the manufacture Nucap's brake components, including shims, is not a trade secret.

RESPONSE TO REQUEST NO. 4: Admitted in part, denied in part. It is admitted that the identity of certain material manufacturers that have supplied materials to Plaintiffs for the manufacture of its brake components in the past is not a trade secret. The remainder of this Request for Admission is denied. The identity of all of Plaintiffs' material manufacturers at any one particular time, the identity of the specific materials supplied to Plaintiffs for the manufacturing of brake components, and the identity of the specific material suppliers whose products are used for specific components of the parts that Plaintiffs manufacture are all trade secrets.

REQUEST NO. 5:

Anstro A-4588-CL has been sold on at least one occasion to at least one customer between 2011 and present.

RESPONSE TO REQUEST NO. 5: Admitted.

REQUEST NO. 6:

Anstro A-4588-CL has been publically available in the market on at least one occasion between 2011 and present.

RESPONSE TO REQUEST NO. 6: Admitted.

REQUEST NO. 7:

The profile of Anstro A-4588-CL is ascertainable from a physical sample of Anstro A-4588-CL.

RESPONSE TO REQUEST NO. 7: Denied. The profile of Anstro A-4588-CL is not “ascertainable” from a physical sample of the part. To the contrary, determining the precise profile of Anstro A-4588-CL from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs’ product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 8:

The dimensions of Anstro A-4588-CL are ascertainable from a physical sample of Anstro A-4588-CL.

RESPONSE TO REQUEST NO. 8: Denied. The dimensions of Anstro A-4588-CL are not “ascertainable” from a physical sample of the part. To the contrary, determining the precise dimensions of Anstro A-4588-CL from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs’ product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 9:

The overall width of Anstro A-4588-CL is ascertainable from a physical sample of Anstro A-4588-CL.

RESPONSE TO REQUEST NO. 9: Denied. The overall width of Anstro A-4588-CL is not “ascertainable” from a physical sample of the part. To the contrary, determining the precise overall width of Anstro A-4588-CL from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs’ product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 10:

The size of holes in Anstro A-4588-CL is ascertainable from a physical sample of Anstro A-4588-CL.

RESPONSE TO REQUEST NO. 10: Denied. The size of holes in Anstro A-4588-CL is not “ascertainable” from a physical sample of the part. To the contrary, determining the precise size of holes in Anstro A-4588-CL from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs’ product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 11:

The locations of holes in Anstro A-4588-CL are ascertainable from a physical sample of Anstro A-4588-CL.

RESPONSE TO REQUEST NO. 11: Denied. The locations of holes in Anstro A-4588-CL are not “ascertainable” from a physical sample of the part. To the contrary, determining the precise

locations of holes in Anstro A-4588-CL from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs' product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 12:

The horizontal pitch between holes in Anstro A-4588-CL is ascertainable from a physical sample of Anstro A-4588-CL.

RESPONSE TO REQUEST NO. 12: Denied. The horizontal pitch between holes in Anstro A-4588-CL is not "ascertainable" from a physical sample of the part. To the contrary, determining the precise horizontal pitch between holes in Anstro A-4588-CL from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs' product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 13:

Nucap SM 5525 has been sold on at least one occasion to at least one customer between 2011 and present.

RESPONSE TO REQUEST NO. 13: Admitted.

REQUEST NO. 14:

Nucap SM 5525 has been publically available in the market on at least one occasion between 2011 and present.

RESPONSE TO REQUEST NO. 14: Admitted.

REQUEST NO. 15:

The profile of Nucap SM 5525 is ascertainable from a physical sample of Nucap SM 5525.

RESPONSE TO REQUEST NO. 15: Denied. The profile of Nucap SM 5525 is not “ascertainable” from a physical sample of the part. To the contrary, determining the precise profile of Nucap SM 5525 from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs’ product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 16:

The dimensions of Nucap SM 5525 are ascertainable from a physical sample of Nucap SM 5525.

RESPONSE TO REQUEST NO. 16: Denied. The dimensions of Nucap SM 5525 are not “ascertainable” from a physical sample of the part. To the contrary, determining the precise dimensions of Nucap SM 5525 from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs’ product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 17:

The overall width of Nucap SM 5525 is ascertainable from a physical sample of Nucap SM 5525.

RESPONSE TO REQUEST NO. 17: Denied. The overall width of Nucap SM 5525 is not “ascertainable” from a physical sample of the part. To the contrary, determining the precise overall width of Nucap SM 5525 from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs’ product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 18:

The size of holes in Nucap SM 5525 is ascertainable from a physical sample of Nucap SM 5525.

RESPONSE TO REQUEST NO. 18: Denied. The size of holes in Nucap SM 5525 is not “ascertainable” from a physical sample of the part. To the contrary, determining the precise size

of holes in Nucap SM 5525 from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs' product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 19:

The locations of holes in Nucap SM 5525 are ascertainable from a physical sample of Nucap SM 5525.

RESPONSE TO REQUEST NO. 19: Denied. The locations of holes in Nucap SM 5525 are not "ascertainable" from a physical sample of the part. To the contrary, determining the precise locations of holes in Nucap SM 5525 from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs' product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 20:

The horizontal pitch between holes in Nucap SM 5525 is ascertainable from a physical sample of Anstro Nucap SM 5525.

RESPONSE TO REQUEST NO. 20: Denied. The horizontal pitch between holes in Nucap SM 5525 is not "ascertainable" from a physical sample of the part. To the contrary, determining the precise horizontal pitch between holes in Nucap SM 5525 from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs' product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 21:

At least as early as 2011, Nucap identified Nucap SM 5525 as corresponding to FMSI D1000 in a document on its publically accessible website.

RESPONSE TO REQUEST NO. 21: Admitted.

REQUEST NO. 22:

Anstro A-4613-RRST has been sold on at least one occasion to at least one customer between 2011 and present.

RESPONSE TO REQUEST NO. 22: Admitted.

REQUEST NO. 23:

Anstro A-4613-RRST has been publically available in the market on at least one occasion between 2011 and present.

RESPONSE TO REQUEST NO. 23: Admitted.

REQUEST NO. 24:

The dimensions of Anstro A-4613-RRST are ascertainable from a physical sample of Anstro A-4613-RRST.

RESPONSE TO REQUEST NO. 24: Denied. The profile of Anstro A-4613-RRST is not “ascertainable” from a physical sample of the part. To the contrary, determining the precise profile of Anstro A-4613-RRST from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs’ product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 25:

The overall width of Anstro A-4613-RRST is ascertainable from a physical sample of Anstro A-4613-RRST.

RESPONSE TO REQUEST NO. 25: Denied. The overall width of Anstro A-4613-RRST is not “ascertainable” from a physical sample of the part. To the contrary, determining the precise overall width of Anstro A-4613-RRST from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs’ product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 26:

The number of tabs on Anstro A-4613-RRST is ascertainable from a physical sample of Anstro A-4613-RRST.

RESPONSE TO REQUEST NO. 26: Denied. The number of tabs on Anstro A-4613-RRST is not “ascertainable” from a physical sample of the part. To the contrary, determining the precise number of tabs on Anstro A-4613-RRST from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs’ product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 27:

The locations of tabs on Anstro A-4613-RRST are ascertainable from a physical sample of Anstro A-4613-RRST.

RESPONSE TO REQUEST NO. 27: Denied. The locations of tabs on Anstro A-4613-RRST are not “ascertainable” from a physical sample of the part. To the contrary, determining the precise locations of tabs on Anstro A-4613-RRST from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs’ product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 28:

The height of the tabs on Anstro A-4613-RRST is ascertainable from a physical sample of Anstro A-4613-RRST.

RESPONSE TO REQUEST NO. 28: Denied. The height of the tabs on Anstro A-4613-RRST is not “ascertainable” from a physical sample of the part. To the contrary, determining the

precise height of the tabs on Anstro A-4613-RRST from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs' product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 29:

Nucap SM 10653 has been sold on at least one occasion to at least one customer between 2011 and present.

RESPONSE TO REQUEST NO. 29: Admitted.

REQUEST NO. 30:

Nucap SM 10653 has been publically available in the market on at least one occasion between 2011 and present.

RESPONSE TO REQUEST NO. 30: Admitted.

REQUEST NO. 31:

A dimensioned drawing of Nucap SM 10653 was depicted in Nucap's publically distributed 2014/2015 Shim European Catalogue.

RESPONSE TO REQUEST NO. 31: Plaintiffs object to the phrase "dimensioned drawing" as vague and ambiguous as to the specific dimensions at issue in the Request. Subject to and without waiving its objections, denied. A drawing of Nucap SM 10653 containing all product dimensions was not depicted in Nucap's publically distributed 2014/2015 Shim European Catalogue.

REQUEST NO. 32:

The profile of Nucap SM 10653 is ascertainable from a physical sample of Nucap SM 10653.

RESPONSE TO REQUEST NO. 32: Denied. The profile of Nucap SM 10653 is not

“ascertainable” from a physical sample of the part. To the contrary, determining the precise profile of Nucap SM 10653 from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs’ product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 33:

The dimensions of Nucap SM 10653 are ascertainable from a physical sample of Nucap SM 10653.

RESPONSE TO REQUEST NO. 33: Denied. The dimensions of Nucap SM 10653 are not “ascertainable” from a physical sample of the part. To the contrary, determining the precise dimensions of Nucap SM 10653 from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs’ product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 34:

The overall width of Nucap SM 10653 is ascertainable from a physical sample of Nucap SM 10653.

RESPONSE TO REQUEST NO. 34: Denied. The overall width of Nucap SM 10653 is not “ascertainable” from a physical sample of the part. To the contrary, determining the precise overall width of Nucap SM 10653 from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs’ product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 35:

The number of tabs on Nucap SM 10653 is ascertainable from a physical sample of Nucap SM 10653.

RESPONSE TO REQUEST NO. 35: Denied. The number of tabs on Nucap SM 10653 is not “ascertainable” from a physical sample of the part. To the contrary, determining the precise number of tabs on Nucap SM 10653 from a physical sample would require the investment of

substantial time, effort and expense as compared to utilizing Plaintiffs' product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 36:

The locations of tabs on Nucap SM 10653 are ascertainable from a physical sample of Nucap SM 10653.

RESPONSE TO REQUEST NO. 36: Denied. The locations of tabs on Nucap SM 10653 are not "ascertainable" from a physical sample of the part. To the contrary, determining the precise locations of tabs on Nucap SM 10653 from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs' product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 37:

At least as early as 2011, Nucap identified Nucap SM 10653 as corresponding to FMSI D430 in a document on its publically accessible website.

RESPONSE TO REQUEST NO. 37: Admitted.

REQUEST NO. 38:

Anstro A-5108-CLVT has been sold on at least one occasion to at least one customer between 2011 and present.

RESPONSE TO REQUEST NO. 38: Admitted.

REQUEST NO. 39:

Anstro A-5108-CLVT has been publically available in the market on at least one occasion between 2011 and present.

RESPONSE TO REQUEST NO. 39: Admitted.

REQUEST NO. 40:

The profile of Anstro A-5108-CLVT is ascertainable from a physical sample of Anstro A-5108-CLVT.

RESPONSE TO REQUEST NO. 40: Denied. The profile of Anstro A-5108-CLVT is not “ascertainable” from a physical sample of the part. To the contrary, determining the precise profile of Anstro A-5108-CLVT from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs’ product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 41:

The dimensions of Anstro A-5108-CLVT are ascertainable from a physical sample of Anstro A-5108-CLVT.

RESPONSE TO REQUEST NO. 41: Denied. The dimensions of Anstro A-5108-CLVT are not “ascertainable” from a physical sample of the part. To the contrary, determining the precise dimensions of Anstro A-5108-CLVT from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs’ product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 42:

The overall width of Anstro A-5108-CLVT is ascertainable from a physical sample of Anstro A-5108-CLVT.

RESPONSE TO REQUEST NO. 42: Denied. The overall width of Anstro A-5108-CLVT is not “ascertainable” from a physical sample of the part. To the contrary, determining the precise overall width of Anstro A-5108-CLVT from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs’ product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 43:

The number of tabs on Anstro A-5108-CLVT is ascertainable from a physical sample of Anstro A-5108-CLVT.

RESPONSE TO REQUEST NO. 43: Denied. The number of tabs on Anstro A-5108-CLVT is not “ascertainable” from a physical sample of the part. To the contrary, determining the precise number of tabs on Anstro A-5108-CLVT from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs’ product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 44:

The locations of tabs on Anstro A-5108-CLVT are ascertainable from a physical sample of Anstro A-5108-CLVT.

RESPONSE TO REQUEST NO. 44: Denied. The locations of tabs on Anstro A-5108-CLVT are not “ascertainable” from a physical sample of the part. To the contrary, determining the precise locations of tabs on Anstro A-5108-CLVT from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs’ product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 45:

The dimensions, including width and height, of tabs on Anstro A-5108-CLVT are ascertainable from a physical sample of Anstro A-5108-CLVT.

RESPONSE TO REQUEST NO. 45: Denied. The dimensions, including width and height, of tabs on Anstro A-5108-CLVT are not “ascertainable” from a physical sample of the part. To the

contrary, determining the precise dimensions, including width and height, of tabs on Anstro A-5108-CLVT from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs' product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 46:

Nucap SM 10908 has been sold on at least one occasion to at least one customer between 2011 and present.

RESPONSE TO REQUEST NO. 46: Admitted.

REQUEST NO. 47:

Nucap SM 10908 has been publically available in the market on at least one occasion between 2011 and present.

RESPONSE TO REQUEST NO. 47: Admitted.

REQUEST NO. 48:

The number of tabs in Nucap SM 10908 is ascertainable from a physical sample of Nucap SM 10908.

RESPONSE TO REQUEST NO. 48: Denied. The number of tabs in Nucap SM 10908 is not "ascertainable" from a physical sample of the part. To the contrary, determining the precise number of tabs in Nucap SM 10908 from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs' product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 49:

The locations of tabs in Nucap SM 10908 are ascertainable from a physical sample of Nucap SM 10908.

RESPONSE TO REQUEST NO. 49: Denied. The locations of tabs in Nucap SM 10908 are not “ascertainable” from a physical sample of the part. To the contrary, determining the precise locations of tabs in Nucap SM 10908 from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs’ product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 50:

At least as early as 2011, Nucap identified Nucap SM 10908 as corresponding to FMSI D793 in a document on its publically accessible website.

RESPONSE TO REQUEST NO. 50: Admitted.

REQUEST NO. 51:

Nucap SM 11211 has been sold on at least one occasion to at least one customer between 2011 and present.

RESPONSE TO REQUEST NO. 51: Admitted.

REQUEST NO. 52:

Nucap SM 11211 has been publically available in the market on at least one occasion between 2011 and present.

RESPONSE TO REQUEST NO. 52: Admitted.

REQUEST NO. 53:

The number of tabs in Nucap SM 11211 is ascertainable from a physical sample of Nucap SM 11211.

RESPONSE TO REQUEST NO. 53: Denied. The number of tabs in Nucap SM 11211 is not “ascertainable” from a physical sample of the part. To the contrary, determining the precise number of tabs in Nucap SM 11211 from a physical sample would require the investment of

substantial time, effort and expense as compared to utilizing Plaintiffs' product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 54:

The locations of tabs in Nucap SM 11211 are ascertainable from a physical sample of Nucap SM 11211.

RESPONSE TO REQUEST NO. 54: Denied. The locations of tabs in Nucap SM 11211 are not "ascertainable" from a physical sample of the part. To the contrary, determining the precise locations of tabs in Nucap SM 11211 from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs' product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 55:

At least as early as 2011, Nucap identified Nucap SM 11211 as corresponding to FMSI D1211 in a document on its publically accessible website.

RESPONSE TO REQUEST NO. 55: Admitted.

REQUEST NO. 56:

Anstro A-4621-RRST has been sold on at least one occasion to at least one customer between 2011 and present.

RESPONSE TO REQUEST NO. 56: Admitted.

REQUEST NO. 57:

Anstro A-4621-RRST has been publically available in the market on at least one occasion between 2011 and present.

RESPONSE TO REQUEST NO. 57: Admitted.

REQUEST NO. 58:

The profile of Anstro A-4621-RRST is ascertainable from a physical sample of Anstro A-4621-RRST.

RESPONSE TO REQUEST NO. 58: Denied. The profile of Anstro A-4621-RRST is not “ascertainable” from a physical sample of the part. To the contrary, determining the precise profile of Anstro A-4621-RRST from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs’ product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 59:

The dimensions of Anstro A-4621-RRST are ascertainable from a physical sample of Anstro A-4621-RRST.

RESPONSE TO REQUEST NO. 59: Denied. The dimensions of Anstro A-4621-RRST are not “ascertainable” from a physical sample of the part. To the contrary, determining the precise dimensions of Anstro A-4621-RRST from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs’ product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 60:

The overall width of Anstro A-4621-RRST is ascertainable from a physical sample of Anstro A-4621-RRST.

RESPONSE TO REQUEST NO. 60: Denied. The overall width of Anstro A-4621-RRST is not “ascertainable” from a physical sample of the part. To the contrary, determining the precise overall width of Anstro A-4621-RRST from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs’ product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 61:

The size of the holes in Anstro A-4621-RRST is ascertainable from a physical sample of Anstro A-4621-RRST.

RESPONSE TO REQUEST NO. 61: Denied. The size of the holes in Anstro A-4621-RRST is not “ascertainable” from a physical sample of the part. To the contrary, determining the precise size of the holes in Anstro A-4621-RRST from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs’ product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 62:

The locations of holes in Anstro A-4621-RRST are ascertainable from a physical sample of Anstro A-4621-RRST.

RESPONSE TO REQUEST NO. 62: Denied. The locations of holes in Anstro A-4621-RRST are not “ascertainable” from a physical sample of the part. To the contrary, determining the precise locations of holes in Anstro A-4621-RRST from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs’ product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 63:

The horizontal pitch between holes in Anstro A-4621-RRST is ascertainable from a physical sample of Anstro A-4621-RRST.

RESPONSE TO REQUEST NO. 63: Denied. The horizontal pitch between holes in Anstro A-4621-RRST is not “ascertainable” from a physical sample of the part. To the contrary,

determining the precise horizontal pitch between holes in Anstro A-4621-RRST from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs' product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 64:

The number of tabs on Anstro A-4621-RRST is ascertainable from a physical sample of Anstro A-4621-RRST.

RESPONSE TO REQUEST NO. 64: Denied. The number of tabs on Anstro A-4621-RRST is not "ascertainable" from a physical sample of the part. To the contrary, determining the precise number of tabs on Anstro A-4621-RRST from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs' product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 65:

The locations of tabs on Anstro A-4621-RRST are ascertainable from a physical sample of Anstro A-4621-RRST.

RESPONSE TO REQUEST NO. 65: Denied. The locations of tabs on Anstro A-4621-RRST are not "ascertainable" from a physical sample of the part. To the contrary, determining the precise locations of tabs on Anstro A-4621-RRST from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs' product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 66:

The dimensions, including height and width, of tabs on Anstro A-4621-RRST are ascertainable from a physical sample of Anstro A-4621-RRST.

RESPONSE TO REQUEST NO. 66: Denied. The dimensions, including height and width, of tabs on Anstro A-4621-RRST are not "ascertainable" from a physical sample of the part. To the contrary, determining the precise dimensions, including height and width, of tabs on Anstro A-4621-RRST from a physical sample would require the investment of substantial time, effort and

expense as compared to utilizing Plaintiffs' product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 67:

Nucap SM 10905 has been sold on at least one occasion to at least one customer between 2011 and present.

RESPONSE TO REQUEST NO. 67: Admitted.

REQUEST NO. 68:

Nucap SM 10905 has been publically available in the market on at least one occasion between 2011 and present.

RESPONSE TO REQUEST NO. 68: Admitted.

REQUEST NO. 69:

The profile of Nucap SM 10905 is ascertainable from a physical sample of Nucap SM 10905.

RESPONSE TO REQUEST NO. 69: Denied. The profile of Nucap SM 10905 is not "ascertainable" from a physical sample of the part. To the contrary, determining the precise profile of Nucap SM 10905 from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs' product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 70:

The dimensions of Nucap SM 10905 are ascertainable from a physical sample of Nucap SM 10905.

RESPONSE TO REQUEST NO. 70: Denied. The dimensions of Nucap SM 10905 are not

“ascertainable” from a physical sample of the part. To the contrary, determining the precise dimensions of Nucap SM 10905 from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs’ product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 71:

The size of the holes in Nucap SM 10905 is ascertainable from a physical sample of Nucap SM 10905.

RESPONSE TO REQUEST NO. 71: Denied. The size of the holes in Nucap SM 10905 is not “ascertainable” from a physical sample of the part. To the contrary, determining the precise size of the holes in Nucap SM 10905 from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs’ product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 72:

The locations of holes in Nucap SM 10905 are ascertainable from a physical sample of Nucap SM 10905.

RESPONSE TO REQUEST NO. 72: Denied. The locations of holes in Nucap SM 10905 are not “ascertainable” from a physical sample of the part. To the contrary, determining the precise locations of holes in Nucap SM 10905 from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs’ product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 73:

The horizontal pitch between holes in Nucap SM 10905 is ascertainable from a physical sample of Nucap SM 10905.

RESPONSE TO REQUEST NO. 73: Denied. The horizontal pitch between holes in Nucap SM 10905 is not “ascertainable” from a physical sample of the part. To the contrary, determining the precise horizontal pitch between holes in Nucap SM 10905 from a physical

sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs' product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 74:

The number of tabs in Nucap SM 10905 is ascertainable from a physical sample of Nucap SM 10905.

RESPONSE TO REQUEST NO. 74: Denied. The number of tabs in Nucap SM 10905 is not "ascertainable" from a physical sample of the part. To the contrary, determining the precise number of tabs in Nucap SM 10905 from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs' product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 75:

The locations of tabs in Nucap SM 10905 are ascertainable from a physical sample of Nucap SM 10905.

RESPONSE TO REQUEST NO. 75: Denied. The locations of tabs in Nucap SM 10905 are not "ascertainable" from a physical sample of the part. To the contrary, determining the precise locations of tabs of Nucap SM 10905 from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs' product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 76:

At least as early as 2011, Nucap identified Nucap SM 10905 as corresponding to FMSI D905 in a document on its publically accessible website.

RESPONSE TO REQUEST NO. 76: Admitted.

REQUEST NO. 77:

Anstro A-5140-CLVT has been sold on at least one occasion to at least one customer between 2011 and present.

RESPONSE TO REQUEST NO. 77: Admitted.

REQUEST NO. 78:

Anstro A-5140-CLVT has been publically available in the market on at least one occasion between 2011 and present.

RESPONSE TO REQUEST NO. 78: Admitted.

REQUEST NO. 79:

The profile of Anstro A-5140-CLVT is ascertainable from a physical sample of Anstro A-5140-CLVT.

RESPONSE TO REQUEST NO. 79: Denied. The profile of Anstro A-5140-CLVT is not “ascertainable” from a physical sample of the part. To the contrary, determining the precise profile of Anstro A-5140-CLVT from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs’ product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 80:

The dimensions of Anstro A-5140-CLVT are ascertainable from a physical sample of Anstro A-5140-CLVT.

RESPONSE TO REQUEST NO. 80: Denied. The dimensions of Anstro A-5140-CLVT are not “ascertainable” from a physical sample of the part. To the contrary, determining the precise dimensions of Anstro A-5140-CLVT from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs’ product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 81:

The overall width of Anstro A-5140-CLVT is ascertainable from a physical sample of Anstro A-5140-CLVT.

RESPONSE TO REQUEST NO. 81: Denied. The overall width of Anstro A-5140-CLVT is not “ascertainable” from a physical sample of the part. To the contrary, determining the precise overall width of Anstro A-5140-CLVT from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs’ product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 82:

The number of tabs on Anstro A-5140-CLVT is ascertainable from a physical sample of Anstro A-5140-CLVT.

RESPONSE TO REQUEST NO. 82: Denied. The number of tabs on Anstro A-5140-CLVT is not “ascertainable” from a physical sample of the part. To the contrary, determining the precise number of tabs on Anstro A-5140-CLVT from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs’ product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 83:

The locations of tabs on Anstro A-5140-CLVT are ascertainable from a physical sample of Anstro A-5140-CLVT.

RESPONSE TO REQUEST NO. 83: Denied. The locations of tabs on Anstro A-5140-CLVT are not “ascertainable” from a physical sample of the part. To the contrary, determining the

precise locations of tabs of Anstro A-5140-CLVT from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs' product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 84:

The dimensions, including height and width, of the tabs on Anstro A-5140-CLVT are ascertainable from a physical sample of Anstro A-5140-CLVT.

RESPONSE TO REQUEST NO. 84: Denied. The dimensions, including height and width, of the tabs on Anstro A-5140-CLVT are not "ascertainable" from a physical sample of the part. To the contrary, determining the precise dimensions, including height and width, of the tabs on Anstro A-5140-CLVT from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs' product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 85:

Nucap SM 11273 has been sold on at least one occasion to at least one customer between 2011 and present.

RESPONSE TO REQUEST NO. 85: Admitted.

REQUEST NO. 86:

Nucap SM 11273 has been publically available in the market on at least one occasion between 2011 and present.

RESPONSE TO REQUEST NO. 86: Admitted.

REQUEST NO. 87:

A dimensioned drawing of Nucap SM 11273 was depicted in Nucap's publically distributed 2014/2015 Shim European Catalogue.

RESPONSE TO REQUEST NO. 87: Plaintiffs object to the phrase “dimensioned drawing” as vague and ambiguous as to the specific dimensions called out by the Request. Subject to and without waiving its objections, denied. A drawing of Nucap SM 11273 containing complete dimensions was not depicted in Nucap’s publically distributed 2014/2015 Shim European Catalogue.

REQUEST NO. 88:

The number of tabs in Nucap SM 11273 is ascertainable from a physical sample of Nucap SM 11273.

RESPONSE TO REQUEST NO. 88: Denied. The number of tabs in Nucap SM 11273 is not “ascertainable” from a physical sample of the part. To the contrary, determining the precise number of tabs in Nucap SM 11273 from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs’ product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 89:

The locations of tabs in Nucap SM 11273 are ascertainable from a physical sample of Nucap SM 11273.

RESPONSE TO REQUEST NO. 89: Denied. The locations of tabs in Nucap SM 11273 are not “ascertainable” from a physical sample of the part. To the contrary, determining the precise locations of tabs in Nucap SM 11273 from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs’ product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 90:

At least as early as 2011, Nucap identified Nucap SM 11273 as corresponding to FMSI D1273 in a document on its publically accessible website.

RESPONSE TO REQUEST NO. 90: Admitted.

REQUEST NO. 91:

Anstro A-4264-CL has been sold on at least one occasion to at least one customer between 2011 and present.

RESPONSE TO REQUEST NO. 91: Admitted.

REQUEST NO. 92:

Anstro A-4264-CL has been publically available in the market on at least one occasion between 2011 and present.

RESPONSE TO REQUEST NO. 92: Admitted.

REQUEST NO. 93:

The profile of Anstro A-4264-CL is ascertainable from a physical sample of Anstro A-4264-CL.

RESPONSE TO REQUEST NO. 93: Denied. The profile of Anstro A-4264-CL is not “ascertainable” from a physical sample of the part. To the contrary, determining the precise profile of Anstro A-4264-CL from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs’ product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 94:

The dimensions of Anstro A-4264-CL are ascertainable from a physical sample of Anstro A-4264-CL.

RESPONSE TO REQUEST NO. 94: Denied. The dimensions of Anstro A-4264-CL are not “ascertainable” from a physical sample of the part. To the contrary, determining the precise dimensions of Anstro A-4264-CL from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs’ product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 95:

The overall width of Anstro A-4264-CL is ascertainable from a physical sample of Anstro A-4264-CL.

RESPONSE TO REQUEST NO. 95: Denied. The overall width of Anstro A-4264-CL is not “ascertainable” from a physical sample of the part. To the contrary, determining the precise overall width of Anstro A-4264-CL from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs’ product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 96:

The size of the holes in Anstro A-4264-CL is ascertainable from a physical sample of Anstro A-4264-CL.

RESPONSE TO REQUEST NO. 96: Denied. The size of the holes in Anstro A-4264-CL is not “ascertainable” from a physical sample of the part. To the contrary, determining the precise size of the holes in Anstro A-4264-CL from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs’ product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 97:

The locations of holes in Anstro A-4264-CL are ascertainable from a physical sample of Anstro A-4264-CL.

RESPONSE TO REQUEST NO. 97: Denied. The locations of holes in Anstro A-4264-CL are not “ascertainable” from a physical sample of the part. To the contrary, determining the precise

locations of holes in Anstro A-4264-CL from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs' product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 98:

The horizontal pitch between holes in Anstro A-4264-CL is ascertainable from a physical sample of Anstro A-4264-CL.

RESPONSE TO REQUEST NO. 98: Denied. The horizontal pitch between holes in Anstro A-4264-CL is not "ascertainable" from a physical sample of the part. To the contrary, determining the precise horizontal pitch between holes in Anstro A-4264-CL from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs' product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 99:

Nucap 9264 has been sold on at least one occasion to at least one customer between 2011 and present.

RESPONSE TO REQUEST NO. 99: Admitted.

REQUEST NO. 100:

Nucap 9264 has been publically available in the market on at least one occasion between 2011 and present.

RESPONSE TO REQUEST NO. 100: Admitted.

REQUEST NO. 101:

The profile of Nucap 9264 is ascertainable from a physical sample of Nucap 9264.

RESPONSE TO REQUEST NO. 101: Denied. The profile of Nucap 9264 is not "ascertainable" from a physical sample of the part. To the contrary, determining the precise

profile of Nucap 9264 from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs' product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 102:

The dimensions of Nucap 9264 are ascertainable from a physical sample of Nucap 9264.

RESPONSE TO REQUEST NO. 102: Denied. The dimensions of Nucap 9264 are not "ascertainable" from a physical sample of the part. To the contrary, determining the precise dimensions of Nucap 9264 from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs' product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 103:

The size of the holes in Nucap 9264 is ascertainable from a physical sample of Nucap 9264.

RESPONSE TO REQUEST NO. 103: Denied. The size of the holes in Nucap 9264 is not "ascertainable" from a physical sample of the part. To the contrary, determining the precise size of the holes in Nucap 9264 from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs' product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 104:

The locations of holes in Nucap 9264 are ascertainable from a physical sample of Nucap 9264.

RESPONSE TO REQUEST NO. 104: Denied. The locations of holes in Nucap 9264 are not “ascertainable” from a physical sample of the part. To the contrary, determining the precise locations of holes in Nucap 9264 from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs’ product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 105:

The horizontal pitch between holes in Nucap 9264 is ascertainable from a physical sample of Nucap 9264.

RESPONSE TO REQUEST NO. 105: Denied. The horizontal pitch between holes in Nucap 9264 is not “ascertainable” from a physical sample of the part. To the contrary, determining the precise horizontal pitch between holes in Nucap 9264 from a physical sample would require the investment of substantial time, effort and expense as compared to utilizing Plaintiffs’ product designs, engineering and material specifications, drawings, methods, techniques, processes and know-how, as Plaintiffs allege was done by Defendants in this case.

REQUEST NO. 106:

At least as early as 2011, Nucap identified Nucap SM 9264 as corresponding to FMSI D757 in a document on its publically accessible website.

RESPONSE TO REQUEST NO. 106: Admitted.

Dated: February 5, 2016

PLAINTIFFS,
NUCAP INDUSTRIES, INC. and NUCAP
US, INC.

By /s/Nicole H. Najam

Stephen W. Aronson
Email: saronson@rc.com
Nicole H. Najam
Email: nnajam@rc.com
Robinson & Cole LLP
280 Trumbull Street
Hartford, CT 06103
Tel. No. (860) 275-8200
Fax No. (860) 275-8299
Juris No. 50604

Of counsel:
DUANE MORRIS LLP
Lawrence H. Pockers
(*Pro Hac Vice*)
Harry M. Byrne
(*Pro Hac Vice*)
30 South 17th Street
Philadelphia, PA 19103
Telephone: 215.979.1000
Fax: 215.979.1020
LHPockers@duanemorris.com
HMByrne@duanemorris.com

Attorneys for Plaintiff

CERTIFICATION

This is to certify that a copy of the foregoing was mailed, postage prepaid or delivered electronically or non-electronically, on this 5th day of February, 2016 to all counsel and self-represented parties of record, as follows:

Stephen J. Curley, Esq.
Brody Wilkinson, P.C.
2507 Post Road
Southport, CT 06890
scurley@earthlink.net

Gene S. Winter, Esq.
Benjamin J. Lehberger
St. Onge Steward Johnston & Reens
986 Bedford Street
Stamford, CT 06906
gwinter@ssjr.com

/s/Nicole H. Najam
Nicole H. Najam